

**PATENT** 

#### IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Inventors:

Castillo et al.

Examiner:

Tate, C.

Serial No.:

10/624,436

Group Art Unit:

1655

Filing Date:

07/21/2003

Attorney Docket No.: PROTEO.P18D1

Title of Invention:

Methods of Isolating Amyloid-Inhibiting Compounds and Use of Compounds

Isolated from Uncaria tomentosa and Related Plants

Kirkland, Washington 98034 April 26, 2007

Mail Stop AF TO THE COMMISSIONER FOR PATENTS PO Box 1450 Alexandria, VA 22313-1450

#### TRANSMITTAL OF TERMINAL DISCLAIMER

Applicant herewith files the attached signed Terminal Disclaimer, Statement Under 37 CFR 3.73(b) and copies of the recorded assignments in this application. A check for the fee under 37 CFR 1.20(d) is attached for \$65, as required. Applicant requests a call to Patrick Dwyer at (206) 550-4049 if there are any questions.

Respectfully submitted,

P18D1-TermDis.TRN

PATRICK MICHAEL DWYER Reg. No. 32,411

PROTEOTECH, INC. 12040 115TH AVE NE KIRKLAND, WA 98034

CERTIFICATE OF MAILING (37 CFR 1.8A)

I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to the Commissioner of Patents and Trademarks, PO Box 1450, Alexandria, VA 22313-1450.

Patrick Dwyer

1-8PCRT.INS

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# TERMINAL DISCLAIMER TO OBVIATE A DOUBLE PATENTING REJECTION OVER A "PRIOR" PATENT

Docket Number (Optional)
Proteo.P18D1

	RECEDITION OVERA TRION TATEM		
•	In re Application of: Gerardo Castillo, Paula Y. Choi, Beth P. Nguyen and Alan D. Snow		
	Application No.: 10/624,436		
	Filed: 7/21/2003		
	For: Methods of isolating amyloid-inhibiting compounds and use of compounds isolated from Uncaria to	mentosa and related plants	
	The owner*, <u>ProteoTech Inc.</u> , of <u>100</u> percent interest in the except as provided below, the terminal part of the statutory term of any patent granted on the instant at the expiration date of the full statutory term <b>prior patent</b> No. <u>6,929,808</u> as the term of said and 173, and as the term of said <b>prior patent</b> is presently shortened by any terminal disclaimer. The o granted on the instant application shall be enforceable only for and during such period that it and the p agreement runs with any patent granted on the instant application and is binding upon the grantee, its su	prior patent is defined in 35 U.S.C. 154 where hereby agrees that any patent so rior patent are commonly owned. This	
	In making the above disclaimer, the owner does not disclaim the terminal part of the term of any patent would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154 and 173 of the patent is presently shortened by any terminal disclaimer," in the event that said prior patent later: expires for failure to pay a maintenance fee;		
	is held unenforceable; is found invalid by a court of competent jurisdiction; is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321; has all claims canceled by a reexamination certificate; is reissued; or is in any manner terminated prior to the expiration of its full statutory term as presently shortened b	v anv terminal disclaimer	
		y any terminara solumer.	
	Check either box 1 or 2 below, if appropriate.		
	1. For submissions on behalf of a business/organization (e.g., corporation, partnership, university, government agency, etc.), the undersigned is empowered to act on behalf of the business/organization.  I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.		
	2. The undersigned is an attorney or agent of record. Reg. No		
	Mod Low	4/2/07 Date	
		,	
	Alan D. Snow, President and CSO of ProteoTe	ch Inc.	
04/30/2	07 HVUONG1 00000019 10624436		
01 FC:28	14 65.00 OP	425-823-6364 Telephone Number	
	Terminal disclaimer fee under 37 CFR 1.20(d) included.		
	WARNING: Information on this form may become public. Credit card information be included on this form. Provide credit card information and authorization		
	*Statement under 37 CFR 3.73(b) is required if terminal disclaimer is signed by the assignee (owner). Form PTO/SB/96 may be used for making this certification. See MPEP § 324.		

This collection of information is required by 37 CFR 1.321. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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#### STATEMENT UNDER 37 CFR 3.73(b) Applicant/Patent Owner: ProteoTech Inc Application No./Patent No.: 10/624,436 Filed/Issue Date: 7/21/2003 Entitled: Methodsof Isolating Amyloid-InhibitingCompounds and Use of Compounds Isolated from Uncaria tomentosa and Related Plants ProteoTech Inc. Corporation (Name of Assignee) (Type of Assignee, e.g., corporation, partnership, university, government agency, etc.) states that it is: 1. v the assignee of the entire right, title, and interest; or 2. an assignee of less than the entire right, title and interest (The extent (by percentage) of its ownership interest is\_\_\_\_\_\_%) in the patent application/patent identified above by virtue of either: A [ v ] An assignment from the inventor(s) of the patent application/patent identified above. The assignment was recorded in the United States Patent and Trademark Office at Reel ,Frame \_\_\_\_\_, or for which a copy thereof is attached. OR B. A chain of title from the inventor(s), of the patent application/patent identified above, to the current assignee as follows: 1. From: To: The document was recorded in the United States Patent and Trademark Office at Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached. To: The document was recorded in the United States Patent and Trademark Office at \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached. To: The document was recorded in the United States Patent and Trademark Office at \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached. Reel Additional documents in the chain of title are listed on a supplemental sheet. As required by 37 CFR 3.73(b)(1)(i), the documentary evidence of the chain of title from the original owner to the assignee was, or concurrently is being, submitted for recordation pursuant to 37 CFR 3.11. [NOTE: A separate copy (i.e., a true copy of the original assignment document(s)) must be submitted to Assignment Division in accordance with 37 CFR Part 3, to record the assignment in the records of the USPTO. See MPEP The undersigned (whose title is supplied below) in authorized to act on behalf of the assignee. Signature Alan D. Snov 425-823-6364 Printed or Typed Name Telephone Number

This collection of information is required by 37 CFR 3.73(b). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

President and CSO of ProteoTech Inc
Title

8/23/04 8:47 PAGE 002/004

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AUGUST 23, 2004

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PROTEOTECH, INC. 1818 WESTLAKE AVENUE N, SUITE 114 SEATTLE, WA 98109

> UNITED STATES PATENT AND TRADEMARK OFFICE NOTICE OF RECORDATION OF ASSIGNMENT DOCUMENT

THE ENCLOSED DOCUMENT HAS BEEN RECORDED BY THE ASSIGNMENT DIVISION OF THE U.S. PATENT AND TRADEMARK OFFICE. A COMPLETE MICROFILM COPY IS AVAILABLE AT THE ASSIGNMENT SEARCH ROOM ON THE REEL AND FRAME NUMBER REFERENCED BELOW.

PLEASE REVIEW ALL INFORMATION CONTAINED ON THIS NOTICE. THE INFORMATION CONTAINED ON THIS RECORDATION NOTICE REFLECTS THE DATA PRESENT IN THE PATENT AND TRADEMARK ASSIGNMENT SYSTEM. IF YOU SHOULD FIND ANY ERRORS OR HAVE QUESTIONS CONCERNING THIS NOTICE, YOU MAY CONTACT THE EMPLOYEE WHOSE NAME APPEARS ON THIS NOTICE AT 703-308-9723. PLEASE SEND REQUEST FOR CORRECTION TO: U.S. PATENT AND TRADEMARK OFFICE, ASSIGNMENT DIVISION, BOX ASSIGNMENTS, CG-4, 1213 JEFFERSON DAVIS HWY, SUITE 320, WASHINGTON, D.C. 20231.

RECORDATION DATE: 08/22/2004

REEL/FRAME: 015016/0973

NUMBER OF PAGES: 2

BRIEF: ASSIGNMENT OF ASSIGNOR'S INTEREST (SEE DOCUMENT FOR DETAILS).

ASSIGNOR:

CHOI, PAULA Y

PATENT NUMBER:

DOC DATE: 07/28/2004

ASSIGNEE:

PROTEOTECH, INC 12026 115TH AVE NE

KIRKLAND, WASHINGTON 98034

SERIAL NUMBER: 10624436

FILING DATE: 07/21/2003

ISSUE DATE:

TITLE: METHODS OF ISOLATING AMYLOID-INHIBITING COMPOUNDS AND USE OF

COMPOUNDS ISOLATED FROM UNCARIA TOMENTOSA AND RELATED PLANTS

In consideration of payment by ASSIGNEE to ASSIGNOR of the sum of One Dollar (\$1.00), and for other good and valuable consideration, the receipt of which is hereby acknowledged,

ASSIGNOR, Paula Y. Choi,

a US citizen who resides at 526 San Andres Drive, Solana Beach, CA 92075, does hereby sell, assign and transfer to

ASSIGNEE, ProteoTech, Inc.,

a corporation under the laws of Washington and doing business at 12026 - 115th Avenue NE, Kirkland, WA 98034, and to the successors, assigns and legal representatives of the ASSIGNEE, ASSIGNOR's entire right, title and interest, whether now held or after acquired, for the United States and its territorial possessions, and in all foreign countries, including all rights to claim priority, in and to any and all improvements which are disclosed in the invention entitled:

Methods of Isolating Amyloid-Inhibiting Compounds and Use of Compounds Isolated from Uncaria tomentosa and Related Plants

("the Invention"), which is found in U.S. patent application serial number 10/624,436 filed on 07/21/2003,by Gerardo Castillo, Paula Y. Choi, Beth P. Nguyen and Alan D. Snow, inventors, and to any and all patents and patent applications as may be related to the Invention and owned by ASSIGNOR, now or hereafter filed, and in any legal equivalent thereof in a foreign country, including the right to claim priority, and the right to sue for past infringement, and in and to all Letters Patent to be obtained for said invention by the above application, and in and to any continuation, division, renewal, or substitute thereof, and, as to letters patent, any reissue or re-examination thereof.

ASSIGNOR hereby covenants that no assignment, sale, agreement or encumbrance has been or will be made or entered into which would conflict with this assignment;

ASSIGNOR further covenants that ASSIGNEE will, upon its request, be provided promptly with all pertinent facts and documents relating to said invention and said Letters Patent and legal equivalents as may be known and accessible to ASSIGNOR and will testify as to the same in any interference, litigation or proceeding related thereto and will promptly execute and deliver to ASSIGNEE or its legal representatives any and all papers, instruments or affidavits required to apply for, obtain, maintain, issue and enforce said application, said invention and said Letters Patent and said equivalents thereof which may be necessary or desirable to carry out the purposes hereof.

and said equivalents thereof which ma	ay be necessary or desirable to carry out the purposes he	reof.
7 / IN WITNESS WHEREOF, 2004.	I have hereunto set hand and seal this da	y of
, ,	Paula Y. Choi	
P18D1-ASSN.IN2	R.	
On this 28day of July, 2004, described in, and who executed, the foregoing instrument	) ss. ) ss.  Taula Clus , to me known to be the in nt and acknowledged to me that he/she signed the same as as/her free and voluntary conally appeared before me, the undersigned Notary Public Mand for the State of C	act and

day at OFFICIAL SEA PRINTER MARTIN J. GRENETSKO NOTARY PUBLIC-CALIFORNIA BOOM NO. 1325624

SOMM, NO. 1325624

MY COMM, EXP. OCT. 16, 2005

seal hereto affixed this

NOTARY PUBLIC in and for the State of CALL FORWING residing at SAN DIEGO
My Commission expires: 10/16/0.5



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AUGUST 23, 2004

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RECORDATION DATE: 08/22/2004

REEL/FRAME: 015016/0975

NUMBER OF PAGES: 2

BRIEF: ASSIGNMENT OF ASSIGNOR'S INTEREST (SEE DOCUMENT FOR DETAILS).

ASSIGNOR:

NGUYEN BETH P.

DOC DATE: 07/12/2004

**ASSIGNEE:** 

PATENT NUMBER:

PROTEOTECH, INC. 12026 115TH AVE NE KIRKLAND, WASHINGTON 98034

SERIAL NUMBER: 10624436

FILING DATE: 07/21/2003

ISSUE DATE:

TITLE: METHODS OF ISOLATING AMYLOID-INHIBITING COMPOUNDS AND USE OF COMPOUNDS ISOLATED FROM UNCARIA TOMENTOSA AND RELATED PLANTS

015016/0975 PAGE 2

MARY BENTON, EXAMINER ASSIGNMENT DIVISION OFFICE OF PUBLIC RECORDS

In consideration of payment by ASSIGNEE to ASSIGNOR of the sum of One Dollar (\$1.00), and for other good and valuable consideration, the receipt of which is hereby acknowledged,

ASSIGNOR, Beth P. Nguyen,

a US citizen who resides at 223 - 189th Place SW, Bothell, WA 98012, does hereby sell, assign and transfer to

ASSIGNEE, ProteoTech, Inc.,

a corporation under the laws of Washington and doing business at 12026 - 115th Avenue NE, Kirkland, WA 98034, and to the successors, assigns and legal representatives of the ASSIGNEE, ASSIGNOR's entire right, title and interest, whether now held or after acquired, for the United States and its territorial possessions, and in all foreign countries, including all rights to claim priority, in and to any and all improvements which are disclosed in the invention entitled:

Methods of Isolating Amyloid-Inhibiting Compounds and Use of Compounds Isolated from Uncaria tomentosa and Related Plants

("the Invention"), which is found in U.S. patent application serial number 10/624,436 filed on 07/21/2003,by Gerardo Castillo, Paula Y. Choi, Beth P. Nguyen and Alan D. Snow, inventors, and to any and all patents and patent applications as may be related to the Invention and owned by ASSIGNOR, now or hereafter filed, and in any legal equivalent thereof in a foreign country, including the right to claim priority, and the right to sue for past infringement, and in and to all Letters Patent to be obtained for said invention by the above application, and in and to any continuation, division, renewal, or substitute thereof, and, as to letters patent, any reissue or re-examination thereof.

ASSIGNOR hereby covenants that no assignment, sale, agreement or encumbrance has been or will be made or entered into which would conflict with this assignment;

ASSIGNOR further covenants that ASSIGNEE will, upon its request, be provided promptly with all pertinent facts and documents relating to said invention and said Letters Patent and legal equivalents as may be known and accessible to ASSIGNOR and will testify as to the same in any interference, litigation or proceeding related thereto and will promptly execute and deliver to ASSIGNEE or its legal representatives any and all papers, instruments or affidavits required to apply for, obtain, maintain, issue and enforce said application, said invention and said Letters Patent and said equivalents thereof which may be necessary or desirable to carry out the purposes hereof.

	IN WITNESS WHEREOF, I have hereunto set hand and seal this 12 day of
	<u>July</u> , 2004.
	Beth P. Nguyen
,	PISDI-ASSN.IN3  Bella P. Mary
	E WA
•	COUNTY OF KIND
	On this 2 day of, 2004,, 10 me known to be the individual described in, and who executed, the foregoing instrument and acknowledged to me that he/she signed the same as his/her free and voluntary act and deed for the uses and purposes therein mentioned, personally appeared before me, the undersigned Notary Public in and for the State of duly commissioned and sworn.
	WITNESS my hand and official seal hereto affixed this day and year first above written.

the State of



UNITED STATES DEPARTMENT OF COMMERCE Patent and Trademark Office ASSISTANT SECRETARY AND COMMISSIONER OF PATENTS AND TRADEMARKS Washington, D.C. 20231





AUGUST 23, 2004

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RECORDATION DATE: 08/22/2004

REEL/FRAME: 015018/0099

NUMBER OF PAGES: 2

BRIEF: ASSIGNMENT OF ASSIGNOR'S INTEREST (SEE DOCUMENT FOR DETAILS).

ASSIGNOR:

SNOW, ALAN D

PATENT NUMBER:

DOC DATE: 07/01/2004

ASSIGNEE:

PROTEOTECH, INC. 12026 115TH AVE NE KIRKLAND, WASHINGTON 98034

SERIAL NUMBER: 10624436

FILING DATE: 07/21/2003

ISSUE DATE:

TITLE: METHODS OF ISOLATING AMYLOID-INHIBITING COMPOUNDS AND USE OF COMPOUNDS ISOLATED FROM UNCARIA TOMENTOSA AND RELATED PLANTS

In consideration of payment by ASSIGNEE to ASSIGNOR of the sum of One Dollar (\$1.00), and for other good and valuable consideration, the receipt of which is hereby acknowledged,

ASSIGNOR, Alan D. Snow,

a US citizen who resides at 3812 - 167th Place SW, Lynnwood, WA 98037, does hereby sell, assign and transfer to

ASSIGNEE, ProteoTech, Inc.,

a corporation under the laws of Washington and doing business at 12026 - 115th Avenue NE, Kirkland, WA 98034, and to the successors, assigns and legal representatives of the ASSIGNEE, ASSIGNOR's entire right, title and interest, whether now held or after acquired, for the United States and its territorial possessions, and in all foreign countries, including all rights to claim priority, in and to any and all improvements which are disclosed in the invention entitled:

Methods of Isolating Amyloid-Inhibiting Compounds and Use of Compounds Isolated from Uncaria tomentosa and Related Plants

("the Invention"), which is found in U.S. patent application serial number 10/624,436 filed on 07/21/2003, by Gerardo Castillo, Paula Y. Choi, Beth P. Nguyen and Alan D. Snow, inventors, and to any and all patents and patent applications as may be related to the Invention and owned by ASSIGNOR, now or hereafter filed, and in any legal equivalent thereof in a foreign country, including the right to claim priority, and the right to sue for past infringement, and in and to all Letters Patent to be obtained for said invention by the above application, and in and to any continuation, division, renewal, or substitute thereof, and, as to letters patent, any reissue or re-examination thereof.

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SIN WITNESS WHEREOF, I have hereunto set hand and	seal this 15th day of
Alan D. Snow	
Piedi Assn. Ind.	
- HUM JON	<del></del>
mashinaton	
STATE OF Washington COUNTY OF King   Ss.	
On this 1st day of July, 2004, Alan Snow described in, and who executed the foregoing instrument and acknowledged to me that he/she signed the same	, to me known to be the individua e as his/her free and voluntary act and
deed for the uses and purposes therein mentioned, personally appeared before me, the undersigned Notary P duly commissioned and sworn.	ublic in and for the State of WA
WITNESS my hand and official seal hereto affixed this	6

the State of WA residing at: Kenrylove My Commission expires:

day and year first above written.



UNITED STATES DEPARTMENT OF COMMERCE Patent and Trademark Office ASSISTANT SECRETARY AND COMINISSIONER OF PATENTS AND TRADEMARKS Weshington, D.C. 20231



AUGUST 30, 2004

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RECORDATION DATE: 08/28/2004

REEL/FRAME: 015050/0100

NUMBER OF PAGES: 2

BRIEF: ASSIGNMENT OF ASSIGNOR'S INTEREST (SEE DOCUMENT FOR DETAILS).

ASSIGNOR:

CASTILLO, GERARDO

DOC DATE: 08/23/2004

**ASSIGNEE:** 

PROTEOTECH, INC 12026 115TH AVE NE KIRKLAND, WASHINGTON 98034

SERIAL NUMBER: 10624436 PATENT NUMBER:

FILING DATE: 07/21/2003

ISSUE DATE:

TITLE: METHODS OF ISOLATING AMYLOID-INHIBITING COMPOUNDS AND USE OF

COMPOUNDS ISOLATED FROM UNCARIA TOMENTOSA AND RELATED PLANTS

015050/0100 PAGE 2

SHAREILL COLES, EXAMINER ASSIGNMENT DIVISION OFFICE OF PUBLIC RECORDS

In consideration of payment by ASSIGNEE to ASSIGNOR of the sum of One Dollar (\$1.00), and for other good and valuable consideration, the receipt of which is hereby acknowledged,

ASSIGNOR, Gerardo Castillo,

a US citizen who resides at 20716 37th Ave SE, Bothell, WA 98021, does hereby sell, assign and transfer to

ASSIGNEE, ProteoTech, Inc.,

a corporation under the laws of Washington and doing business at 12026 - 115th Avenue NE, Kirkland, WA 98034, and to the successors, assigns and legal representatives of the ASSIGNEE, ASSIGNOR's entire right, title and interest, whether now held or after acquired, for the United States and its territorial possessions, and in all foreign countries, including all rights to claim priority, in and to any and all improvements which are disclosed in the invention entitled:

Methods of Isolating Amyloid-Inhibiting Compounds and Use of Compounds Isolated from Uncaria tomentosa and Related Plants

("the Invention"), which is found in U.S. patent application serial number 10/624,436 filed on 07/21/2003,by Gerardo Castillo, Paula Y. Choi, Beth P. Nguyen and Alan D. Snow, inventors, and to any and all patents and patent applications as may be related to the Invention and owned by ASSIGNOR, now or hereafter filed, and in any legal equivalent thereof in a foreign country, including the right to claim priority, and the right to sue for past infringement, and in and to all Letters Patent to be obtained for said invention by the above application, and in and to any continuation, division, renewal, or substitute thereof, and, as to letters patent, any reissue or re-examination thereof.

ASSIGNOR hereby covenants that no assignment, sale, agreement or encumbrance has been or will be made or entered into which would conflict with this assignment;

ASSIGNOR further covenants that ASSIGNEE will, upon its request, be provided promptly with all pertinent facts and documents relating to said invention and said Letters Patent and legal equivalents as may be known and accessible to ASSIGNOR and will testify as to the same in any interference, litigation or proceeding related thereto and will promptly execute and deliver to ASSIGNEE or its legal representatives any and all papers, instruments or affidavits required to apply for, obtain, maintain, issue and enforce said application, said invention and said Letters Patent and said equivalents thereof which may be necessary or desirable to carry out the purposes hereof.

1	
IN WITNESS WHERE August, 2004.	OF, I have hereunto set hand and seal this $\frac{23^{14}}{25}$ day of
0	Gerardo Castillo
P1ED1-ASSN.IN1	Mesters
. 1	
STATE OF WA COUNTY OF KIND On this 23 <sup>1</sup> day of August, 200	
described in, and who executed, the foregoing insideed for the uses and purposes therein mentioned duly commissioned and sworn.	trument and acknowledged to me that he/she signed the same as his/her free and voluntary act and l, personally appeared before me, the undersigned Notary Public in and for the State of Wash
WITNESS my hand and official seal l day and year first above written.	NOTARY PUBLIC in and for the State of WA residing at:  My Commission expires: